

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JOMIKA McCAULEY,

Plaintiff,

vs.

CIVIL NO.: 20-CV-13069
HON. ROBERT H. CLELAND

COMMISSIONER OF SOCIAL
SECURITY

Defendant.

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

This matter is before the court on the parties' cross motions for summary judgment. The case was referred to United States Magistrate Judge Patricia T. Morris pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72.1. The magistrate judge issued her report on November 17, 2021 recommending that this court Grant Plaintiff's Motion for Summary Judgment [Dkt #22], Grant the Commissioner's Motion for Remand [Dkt # 23] and remand the case to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further proceedings. No objections have been filed pursuant to 28 U.S.C. §636(b)(1)(C); thus further appeal rights are waived.¹

Accordingly, the court ADOPTS the recommended findings and conclusions of the Magistrate Judge.

¹ The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. See *Thomas v. Arn*, 474 U.S. 140,149 (1985).

ORDER

IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, the Plaintiff's Motion for Summary Judgment [Dkt #22] is **GRANTED**, Defendant's Motion for Remand [Dkt #23] is **GRANTED** and this matter is **REMANDED** for further proceedings.

IT IS SO ORDERED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: December 10, 2021

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, December 10, 2021, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522